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PTO/SB/05 (12/97) (modified)

Applicable for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TO/DO/TO
01/05/01

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

For new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.	File Domain/SCH	Total Pages	48
First Named Inventor or Application Identifier			
Scott C. Harris			
Express Mail Label No.	EL 688 267 461 US		

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL 688 267 461

Date of Deposit: December 5, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Janet Christy

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. Specification [Total Pages 36]
(including)
 - Descriptive title of the Invention
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s) (7 pgs)
 - Abstract of the Disclosure (1 pg)
3. Drawing(s) (35 USC 113) [Total Sheets 6]
4. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
5. Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ADDRESS TO:
Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

6. Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers (cover sheet & document(s))
9. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
10. English Translation Document (if applicable)
11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
12. Preliminary Amendment
13. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. Applicant claims
Small Entity Status Statement filed in prior application,
Status still proper and desired
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Cover sheet
Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) Provisional of prior application No: 60/219,919 filed July 19, 2000

18. CORRESPONDENCE ADDRESS

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The filing fee has been calculated as follows:

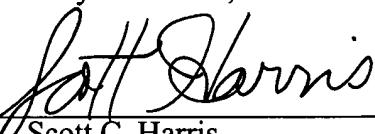
FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	27 - 20 =	7	x \$9.00	\$63
INDEPENDENT CLAIMS	5 - 3 =	2	x \$40.00	\$80
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0
			BASIC FEE	\$355.00
			TOTAL OF ABOVE CALCULATIONS =	\$498.00
Assignment Recording Fee (if enclosed)				\$0.00
			TOTAL =	\$498.00

A check in the amount of \$498.00 is attached.
 Charge \$ _____ to **Deposit Account No.** _____ referencing docket no. _____.

Applicant(s) hereby petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees or to credit any overpayment to **Deposit Account No. 50-1387** referencing docket no. **FILE DOMAIN/SCH**. A duplicate copy of this transmittal is enclosed, for that purpose.

Dated: 1/5/01

Respectfully submitted,

By: 
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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Scott C. Harris
Title	Protection Against Unintentional File Changing
Atty Docket Number	FILE DOMAIN/SCH

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/5/01
Date


Signature

Scott C. Harris

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.